IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 31685 of 1998

Between:

1 Yeleti Gangaraju S/o Ambedkar,
Chairman, ZPP High School Educational Committee, Kaleru,

Kapileswarapuram Mandal, East Godavari District.
2 Bonam Krishna Murthy S/o Ramanna,
Chairman, MPUP School Education Committee, Vedurumudi,

Kapileswarapuram Mandal, East Godavari District

..... PETITIONERS

AND

1 District Educational Officer,
E.G.Distirct, Kakinada.
2 Mandal Educational Officer, Kapileswarapuram Mandal,

Office of Mandal Parishad,
Kapileswarapuram, East Godavari District.
3 Headmaster, Z.P.P. High School,
Kaleru, Kapileswarapuram Mandal, East Godavari District.
4 Head Master, MPUP School,
Vedurumudi, Kapileswarapuram Mandal,
East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly one in Writ of Mandamus declaring the Proceedings RC.No.B-139/98, dt.29/10/1998 issued by the second Respondent pursuant to orders of the first Respondent dt.15/09/1998 as illegal, arbitrary and opposed to the provisions of the A.P. School Education (Community Participation) Act, 1998 and also without jurisdiction, consequently direct the Respondents to drop all further proceedings pursuant to the above said order by continuing the petitioners as Chairmen of the respective School Education Committees.

Counsel for Petitioners: MR. T.V.S.PRABHAKAR RAO

Counsel for Respondent: GOVERNMENT PLEADER FOR SCHOOL EDUCATION

The Court made the following:

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ORDER:

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In the elections conducted in 1998, the petitioners were elected as Chairmen of the respective School Education Committees. By proceedings dated 15-09-1998, which are challenged in the writ petition, the first respondent declared that the election is void and directed to conduct fresh elections.

This Court, while admitting the writ petition, by order dated 13-11-1998, suspended the impugned order by reason of which, it appears, the petitioners continued as Chairmen of the respective School Education Committees.

As per Section 5(4) of the A.P. School Education (Community Participation) Act, 1998, the term of the Election Committee is two years. In that view of the matter, nothing remains in the writ petition.

Therefore, the writ petition is dismissed as infructuous. No costs.

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V.V.S. RAO, J

November 10, 2004.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Educational Officer, East Godavari Distirct, Kakinada.
2 The Mandal Educational Officer, Kapileswarapuram Mandal,

Office of Mandal Parishad, Kapileswarapuram, East Godavari District.
3 The Headmaster, Z.P.P. High School, Kaleru, Kapileswarapuram

Mandal, East Godavari District.
4 The Head Master, MPUP School, Vedurumudi, Kapileswarapuram

Mandal, East Godavari District.

5 Two CCs to the Government Pleader for School Education,

High Court Buildings, Hyderabad (O.U.T).

6 Two CD copies.